



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: HOLZLE et al.

Attorney Docket No.: SUN1P147C2/P2297C2

Application No.: 09/836,916

Examiner: DAS, Chameli

Filed: April 17, 2001

Group: 2122

Title: METHOD AND APPARATUS FOR  
PERFORMING BYTE-CODE  
OPTIMIZATION DURING PAUSES

Confirmation No.: 9890

08/19/2004 SSESHE1 00000009 09836916

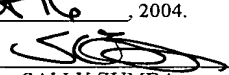
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**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as first-class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450 on August 16, 2004.

Signed: \_\_\_\_\_

  
SALLY ZUMBA

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TO OBVIATE AN OBVIOUSNESS-TYPE  
DOUBLE PATENTING REJECTION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The owner(s), SUN MICROSYSTEMS, INC., of the entire interest in the above-identified application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§154 to 156 and §173 of prior United States Patent No. 5,970,249 and United States Patent No. 6,240,548 (hereafter "prior patents"), as presently shortened by any terminal disclaimer. The owner(s) hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that it and the prior patents are commonly owned. This agreement runs with any patent granted on the above-identified application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the above-identified application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§154 to 156 and §173 of the prior patents, as

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The undersigned is an agent or attorney of record.

Enclosed is our check in the amount of \$110.00 to cover the disclaimer fee. If the required fees are not enclosed or additional fees are required to facilitate filing of this paper, please charge such fees or credit any overpayment to Deposit Account No. 500388 (Order No. 500388).

Respectfully submitted,

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